

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

MELISSA BIGGS, )  
                        )  
Plaintiff,           )  
                        )  
v.                     ) Civil No. 3:07-1095  
                        )  
TILO MANDRY,       )  
INVEST IN GERMANY GmbH, and       )  
INVEST IN GERMANY, LTD.,           )  
                        )  
Defendants.          )

**O R D E R**

On April 22, 2010, defendant Germany Trade and Invest GmbH (as successor to Invest In Germany GmbH) filed a Motion to Dismiss Complaint Pursuant to Rule 12, which addressed the plaintiff's Second Amended Complaint filed December 11, 2008 (Docket No. 27). (Docket No. 43) The plaintiff never responded to this motion but, on July 21, 2010, filed a Brief In Response to Defendant, Invest In Germany, LTD.'s Motion For Summary Judgment, stating, in part, . . . "it appears this Defendant will not be liable for the negligent conduct of Tilo Mandry and is entitled to judgment in its favor." (Docket No. 50) Because the Motion to Dismiss was not filed by defendant Invest In Germany, LTD., the plaintiff's meaning is unclear to the court.

It is hereby **ORDERED** that, by July 30, 2010, the plaintiff shall file a supplementary response to the Motion to Dismiss (Docket No. 43) that clarifies which defendants the plaintiff agrees should be dismissed from this case.

It is so **ORDERED**.

ENTER this 27<sup>th</sup> day of July 2010.



ALETA A. TRAUGER  
U.S. District Judge